

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

Plaintiff,

Case No. 09-CR-043-SPF

v.

LINDSEY KENT SPRINGER,  
OSCAR AMOS STILLEY

DEFENDANT'S AMENDED MOTION TO RECONSIDER AND  
FOR EVIDENTIARY HEARING

Lindsey Kent Springer(Springer) moves to reconsider the court's order denying release pending appeal and amends said motion with the additional. On June 1, 201, the 10<sup>th</sup> circuit denied springer's release pending appeal muting Springer had not presented clear and convincing evidence Springer was not likely to flee pending appeal. Springer's current motion and to satisfy that efficiency.

This Court also directed springer be housed close to Tulsa in it's order of April 23, 2010. For 38 days, Springer was held in a Tulsa County jail and June 2, 2010 Springer was transported to the Federal Transfer Center in Oklahoma City with his destination to be Big Springs, Texas.

Currently, Springer has been limited to 300 minutes of phone time per month and no email communications. Springer is to reach Big Springs, TX in 2-6 weeks. Springer has also been told Big Springs may not have computers as of this motion.

This Court knows this case is very complicated and evolves evaluation of thousands of

documents, hundreds of pages of transcripts(some now available and some when complicated by Tracy Washbourne) springer does have his attorney Jerold Barringer assisting him on appeal but by being moved to Big Springs TX with less than 300 minutes of phone time per month, no access to any documents of the case file for possibly a couple of months and mail only going out 1 day per week makes this is a violation of Springer's right to appeal by denying Springer the ability to assist his attorney in a meaningful manner.

Placing Springer on home detention would alleviate this problem. There is no way to accomplish Springer's right to appeal and that right be meaningful otherwise. While in Tulsa, Springer was given certain unlimited access to phones and contact two times with his attorney, when the Pod was not locked down.

Even in this context it was impossible to begin the appeal brief because all the info required to do so is in boxes. Springer represented himself at the District Court and is needing time to have Counsel consider the merits of over 30 issues possible. It would be in the best interest of all involved that Springer have a meaningful chance to narrow his appeal issues. Springer representing himself on appeal on which he has a right to do, makes appeal through Counsel extraordinary and exceptional in circumstance.

Although Springer was unable to complete a tax return, Form 1040, for year 2009, due to having to move and sentencing, Springer did file for an extension with the IRS.

## CONCLUSION

Therefore, Springer requests this court to release him on appeal find he is not a flight risk by clear and convincing evidence as well as not a danger to the community and raises issues likely to result in reversal or dismissal or at minimum a new trial. Under these exceptional

and extraordinary circumstances which would allow him access to thousands of electronically held documents in an effort to assist his counsel in narrowing and completing meaningful appellate review. Springer also contends some combination of monitoring equipment would satisfy the need of convincing involving risk of flight. Springer loves his wife and children and would never put them through what fleeing would possibly cause. Never!

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Lindsey Kent Springer's Amended Motion to Reconsider and For Evidentiary Hearing was ecf'd on June 4, 2010 to:

Kenneth P. Snoke,

Charles O'Reilly,

Oscar Stilley

/s/ Lindsey K. Springer

Signature